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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JOHN DOE 1, JOHN DOE 2, JOHN DOE 3,
JOHN DOE 4, JOHN DOE 5, JOHN DOE 6,
JOHN DOE 7, JOHN DOE 8, JOHN DOE 9,
JOHN DOE 10, JOHN DOE 11, JOHN DOE
12, JOHN DOE 13, and JOHN DOE 14
individually and on behalf of all others
similarly situated,

Plaintiffs,

VS.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION, THE UNIVERSITY OF
SAN FRANCISCO, ANTHONY N. (AKA
NINO) GIARRATANO, and TROY
NAKAMURA,

Defendants.

Case No. 3:22-cv-01559-LB

**DEFENDANT UNIVERSITY OF SAN
FRANCISCO'S ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
CASES SHOULD BE RELATED**

Judge: Hon. Laurel Beeler

Trial Date: None Set

1 University of San Francisco (“USF”) submits this administrative motion to consider
 2 whether this case, *Does 1-14 v. University of San Francisco, et al.*, Case No. 3:22-cv-1559-LB
 3 (N.D. Cal.) (“*Does I*”), should be considered a “related case” under Civil Local Rule 3-12 to the
 4 following action: *Does 15-19 v. University of San Francisco, et al.*, Case No. 3:25-cv-05311-
 5 AGT (N.D. Cal.) (“*Does II*”).

6 “An action is related to another when: (1) The actions concern substantially the same
 7 parties, property, transaction or event; and (2) It appears likely that there will be an unduly
 8 burdensome duplication of labor and expense or conflicting results if the cases are conducted
 9 before different Judges.” L.R. 3-12(a).

10 The actions are related. Both actions involve the same parties—USF, former USF
 11 baseball coaches Anthony Giarratano and Troy Nakamura, and former USF baseball players
 12 coached by Giarratano and Nakamura. The allegations underlying each action are substantively
 13 identical. Plaintiffs even point out that John Does 15-19 in *Does II*—who are named
 14 consecutively from John Does 1-14 in *Does I*—“experienced the same” alleged conduct “by the
 15 Coach Defendants against John Does 1-14” in *Does I. Does II Compl.*, Dkt. No. 1 at 4.
 16 Moreover, the causes of action in *Does II* are identical to the causes of action in *Does I* except
 17 that Plaintiffs abandoned their breach of contract claims after they were dismissed in *Does I*.

18 Plaintiffs appear to agree that the two cases are related, and even acknowledge on their
 19 Civil Cover Sheet and on page one of the *Does II* complaint that *Does I* is a “related case.” *Id.* at
 20 1 n.1; *id.* at Attachment 1. Plaintiffs further acknowledge that the *Does II* Plaintiffs were
 21 originally part of the *Does I* putative class action before class certification was denied. *Id.* at 4.
 22 Moreover, counsel of record for Plaintiffs in *Does II* are also all counsel of record for Plaintiffs
 23 in *Does I*.

24 Treating the cases as related would serve the interests of judicial economy, avoid
 25 unnecessary expense and the unduly burdensome duplication of labor, and eliminate the potential
 26 for conflicting rulings on the same alleged conduct. Because the requirements of Civil Local
 27 Rule 3-12 are met, USF respectfully requests that this Court grant its administrative motion.
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1 Dated: July 9, 2025

Respectfully submitted,

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on July 9, 2025, I caused the foregoing document to be served by
3 email upon counsel of record for all Parties listed in the service list below. I declare under
4 penalty of perjury that the foregoing information in this Certificate of Service is true and correct.
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8 */s/ Jonathan M. Baum*
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